

Notice of Allowability

Application No.

09/770,644

Examiner

Kristie Shingles

Applicant(s)

PAZ ET AL.

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/3/06.
2. ☒ The allowed claim(s) is/are 31-35 and 51-54.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

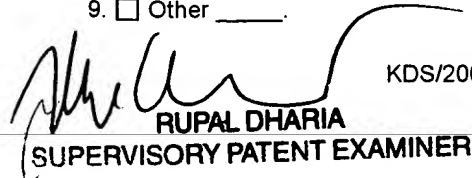
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 6/2006.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


KDS/20060609
RUPAL DHARIA
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

Claim 15 has been amended. Claims 1-30 and 36-50 have been cancelled.

Claims 31-35 and 51-54 are pending.

Claims 31-35 and 51-54 are allowed.

Terminal Disclaimer

1. The terminal disclaimer filed on 5/3/2006 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded.

35 USC § 112, second paragraph

2. **Regarding claim 54**, the amended corrections to the claim language have been accepted by the Examiner. The 35 USC 112, second paragraph, rejection is therefore withdrawn.

Response to Arguments

3. Applicant's arguments see Remarks page 5, filed 5/3/2006, with respect to claims 31-35 and 51-54 has been fully considered and are persuasive. Therefore the Double Patenting rejection of claims 31-35 and 51-54 has been withdrawn.
4. Claims 31-35 and 51-54 are hereby allowed.

Examiner's Amendment

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Atty. Wes Rosander on 6/13/2006.

The application has, therefore, been amended as follows:

▪ **Regarding Claim 31:** “one or more computer readable media having stored thereon:” should be removed from line 5 of the claim and inserted into line 4 of the claim in the preamble, so that the claim reads:

—In a computing system with a server that provides remote client access to a software program that creates a layout of elements from a display design based on limitations of the system, wherein the display will be transmitted to one or more clients as compressed video stream, one or more computer readable media having stored thereon the software program comprising:

~~one or more computer readable media having stored thereon:~~

a restriction module that when running at a server receives one or more restrictions defining one or more limitations imposed by a compression method to be used in generating a display representing a user interface corresponding to a program running at the server and that is displayed at a remote client as a compressed video stream;

a design module that when running at the server lays out one or more display elements for said user interface responsive to said received one or more limitations in order to meet said one or more limitations when creating a compressed video stream of said display to be sent to said remote client, wherein the design module modifies the layout of the one or more display elements relative to a layout without the one or more limitations in order to make compression for the one or more display elements more efficient, and wherein the modifications includes at least one or more of moving an element, replacing an element, changing a property on an element, or removing an element;

a compression module for compressing the modified layout of the one or more display elements into the compressed video stream and such that the compressed video stream includes a modified layout that was modified by, at least one of, moving an element, replacing an element, changing a property on an element, or removing an

element and responsive to the one or more limitations;
and

a transmission module for sending the compressed video stream to one or more clients for viewing and interacting with the user interface of the program.—

Reasons for Allowance

6. The following is an examiner's statement of reasons for allowance:

The prior art or record fails to teach neither singly nor in combination, the claimed limitation of: a restriction module that when running at a server receives one or more restrictions defining one or more limitations imposed by a compression method to be used in generating a display representing a user interface corresponding to a program running at the server and that is displayed at a remote client as a compressed video stream; and a design module that when running at the server lays out one or more display elements for said user interface responsive to said received one or more limitations in order to meet said one or more limitations when creating a compressed video stream of said display to be sent to said remote client, wherein the design module modifies the layout of the one or more display elements relative to a layout without the one or more limitations in order to make compression for the one or more of moving an element, replacing an element, changing a property of an element or removing an element. Specifically, the prior art of record, while teaching the modification of displays relative to the display requirements of the receiving devices, fails to teach a design module that modifies the layout of display elements relative to a layout without one or more limitations for the efficiency of compression, wherein the modification of elements is based on the limitations of the compression method (see Applicant's Specification, paragraphs 0078, 0195-0197 and 0205).

These limitations, in conjunction with other limitations in the independent and dependent claims, are not specifically disclosed or remotely suggested in the prior art of record. A review of Claims 31-35 and 51-54, in view of the Examiner's remarks above, indicates that Claims 31-35 and 51-54 are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure: Popa (6,006,231), Tso et al (6,421,733), Starnes et al (6,578,073), Marmor (6,601,108), Mighdoll et al (6,662,218), Beranek (6,886,013), Uemura et al (6,430,161).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds


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